

U.S. Department of
Homeland Security

United States
Coast Guard



Commander
United States Coast Guard
Sector / Air Station Corpus Christi

Valent Hall
249 Glasson Drive
Corpus Christi, TX 78406
Phone: (361) 939-0450

16200
February 8, 2020

Master: M/V BARBARA E. BOUCHARD
ON: 981712
Bouchard Transportation
58 South Service Rd, Suite 150
Melville, NY 11747
tugbarbara@bouchardfleet.com

CAPTAIN OF THE PORT ORDER 037-20

On February 8, 2020, we received notification that crewmembers on the M/V BARBARA E. BOUCHARD may abandon the vessel while anchored in the Corpus Christi anchorage due to lack of food and water and failure to receive wages, among other reasons. Pursuant to 46 U.S.C. § 70002(1), (3) and 33 C.F.R. § 160.111(a), (c), this condition produces reasonable cause to believe that such vessel creates a hazardous condition to the Port of Corpus Christi in accordance with 33 C.F.R. § 160.202 and 160.216.

Under the authority of the Ports and Waterways Safety Act, 46 U.S.C. § 70001 *et seq.*, and the regulations issued there under, including 33 C.F.R. § 160.111, I hereby order that evidence be provided that definitively proves the vessel does not pose a hazardous condition or other safety or security threat to the Port of Corpus Christi or other Port or, alternatively, I direct the M/V BARBARA E. BOUCHARD, her crew, and equipment, including the tank barge B.No.240 (ON: 998038), to immediately, without undue delay, enter Port and locate a dock or facility, subject to the Marine Transportation Safety Act regulations, and moor your vessel until evidence can be provided that the vessel does not pose a hazardous condition or other safety or security threat to the Port of Corpus Christi or other Port. Additionally, the vessel *must* maintain minimum safe manning in accordance with 46 C.F.R. Part 15.

Furthermore, pursuant to 46 U.S.C. § 70036(a)(1), failure to comply with this order may result in a civil penalty of not more than \$25,000, with each day of continued operation constituting a separate violation. Moreover, in accordance with 46 U.S.C. § 70036(b), a willful and knowing violation of this order constitutes a Class D Felony.

Any person directly affected by this order may request reconsideration in writing. You also have the right to appeal this order to the Commander, Eighth Coast Guard District. Appeals must be submitted in writing to the Captain of the Port. Additional information on the appeals process is contained in 33 C.F.R. § 160.7.

EXHIBIT

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COTP 037-20

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If you have any questions or would like additional information, please contact Coast Guard Sector Corpus Christi Command Center at (361) 939-0450.



J. E. Smith
Captain, U.S. Coast Guard
Alternate Captain of the Port

Acknowledgement of delivery:

Signature: Dean DW

Date: 2-9-2020

Title: Captain

Time: 0700

Copy: Corpus Christi Harbormasters Office
Corpus Christi Pilots Association